

# **Index File**

## **Application No. ZM-101-06**

### **Peter V. Henderson**

**Application No. UP-101-06** is an application to amend the York County Zoning Map by reclassifying an approximately 8.28-acre portion of a 13.24-acre parcel located at 5800 Mooretown Road (Route 603) from IL (Limited Industrial) to RR (Rural Residential) to incorporate the acreage into a planned residential family subdivision that will encompass the subject property and adjacent acreage owned by the applicant. The property, further identified as a portion of Assessor's Parcel 5-14-B, is located approximately 2,400' north of the intersection of Mooretown Road and Ewell Road (Route 1030) and is designated Limited Industrial and Conservation in the Comprehensive Plan.

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The staff is recommending approval.

#### Attachments:

1. Staff report
2. Zoning map
3. Vicinity map
4. Aerial photo
5. Conceptual subdivision plan
6. Proposed Resolution No. PC06-09

# COUNTY OF YORK

## MEMORANDUM

**DATE:** April 27, 2006 (PC Mtg. 5/10/06)

**TO:** York County Planning Commission

**FROM:** Timothy C. Cross, AICP, Principal Planner

**SUBJECT:** Application No. ZM-101-06, Peter V. Henderson

### **ISSUE**

This application seeks to amend the York County Zoning Map by reclassifying an approximately 8.28-acre portion of a 13.24-acre parcel located at 5800 Mooretown Road (Route 603) from IL (Limited Industrial) to RR (Rural Residential) to incorporate the acreage into a planned residential family subdivision that will encompass the subject property and adjacent acreage owned by the applicant. The property, further identified as a portion of Assessor's Parcel 5-14-B, is located approximately 2,400' north of the intersection of Mooretown Road and Ewell Road (Route 1030).

### **DESCRIPTION**

- Property Owner: Peter V. Henderson
- Location: 5800 Mooretown Road (Route 603)
- Area: 8.28-acre portion of a 13.24-acre parcel
- Frontage: Parcel has approximately 259' of frontage on Mooretown Road; portion to be rezoned has no road frontage.
- Utilities: The property is served by septic and a private water system
- Topography: Moderate to severe slopes
- 2025 Land Use Map Designation: Limited Industrial and Conservation
- Zoning Classification: IL – Limited Industrial
- Existing Development: Contracting business
- Surrounding Development:
  - North: Two large-lot single-family detached homes (Edgewood Farms)
  - East: Undeveloped property owned by the City of Williamsburg
  - South: Single-family detached home and undeveloped watershed property
  - West: Undeveloped parcel in James City County (across Mooretown Road)

- Proposed Development: Eight-lot family subdivision with three new single-family detached homes

## **CONSIDERATIONS/CONCLUSIONS**

1. The Henderson family owns approximately 69.5 acres on Mooretown Road, including three parcels zoned IL (Limited Industrial) with a combined acreage of 15.1 acres and five parcels zoned RR (Rural Residential) with a combined acreage of 54.4 acres. Each of the five RR-zoned parcels is occupied by a single-family detached home. The applicant's contracting business (Henderson General Contractors) occupies approximately 4.96 acres of the IL-zoned property, and a small industrial park fronting on Mooretown Road occupies the other two IL parcels, which have a combined land area of approximately 1.85 acres. The applicant wishes to rezone the undeveloped 8.28-acre portion of land located to the rear of the contracting business from IL to RR, leaving approximately 6.82 acres zoned IL (the contracting business and the industrial park) and approximately 62.68 acres zoned RR. He has indicated that he plans to resubdivide the RR-zoned acreage as an 8-lot family subdivision. According to the applicant's concept plan, the eight lots would range in size from 1.33 acres to 15.9 acres, and three additional single-family detached homes would be built. (The conceptual subdivision plan is provided for the Commission's information only; this is not a conditional rezoning, and the Commission is not being asked to approve the subdivision plan.)
2. The Comprehensive Plan designates approximately 5.7 acres of the subject parcel (the front portion along Mooretown Road) for Limited Industrial development; the remaining 7.5 acres to the rear are designated Conservation. The Limited Industrial designation recognizes the existing industrial activities, while the Conservation designation is intended to recognize the property's proximity to Waller Mill Reservoir and to prevent more intensive industrial development near the watershed.
3. The subject property and all of the surrounding area are within the Watershed Management and Protection Area overlay district. Before any subdivision of the property takes place, the applicant will be required to prepare a site-specific natural resources inventory (NRI) and submit it to the County for approval in accordance with the County's Chesapeake Bay Preservation Areas Ordinance. Additional buffer areas, both Chesapeake Bay Preservation Area buffers and Watershed Management and Protection Area buffers, may be required depending upon the findings of the NRI.
4. Since this is not a conditional rezoning, there is no guarantee that the family subdivision will be carried out as planned, and even if it is, the property could still be further subdivided at some future time. The "worst case" scenario (in terms of residential growth) in the event this application is approved is that the rezoned property could ultimately be resubdivided into eight single-family residential lots, which could only take place once public water and sewer are extended to the property and public road access is provided.

## **RECOMMENDATION**

Staff believes the requested RR zoning is more consistent with the Comprehensive Plan and the goal of protecting the watershed than is the existing IL zoning. The rezoning, if approved, will result in the addition of probably three (3) and no more than eight (8) single-family detached homes, which would have little impact on traffic or County services and infrastructure. Therefore, based on the considerations and conclusions as noted, staff recommends that the Commission forward this application to the Board of Supervisors with a recommendation of approval. This can be achieved through the adoption of proposed Resolution No. PC06-11.

TCC

Attachments

- Zoning Map
- Vicinity Map
- Aerial Photo
- Conceptual subdivision plan
- Proposed Resolution No. PC06-11

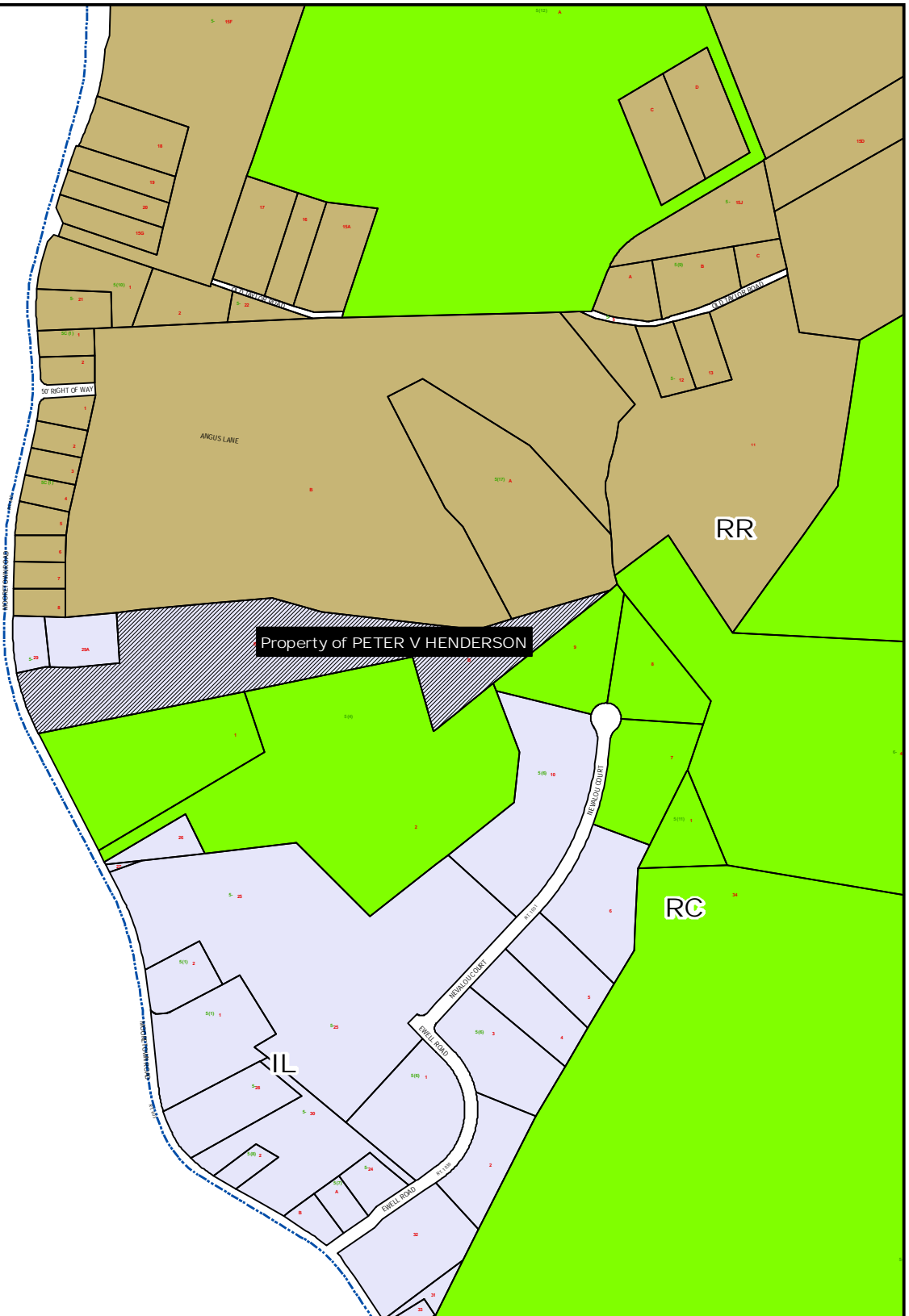
**APPLICANT**  
**Peter V. Henderson**

Rezone approximately 8.3 acres from IL to RR  
5800 MOORETOWN RD

**ZONING MAP**

**APPLICATION NUMBER:** ZM-101-06

James City



Property of PETER V HENDERSON

RR

RC

IL

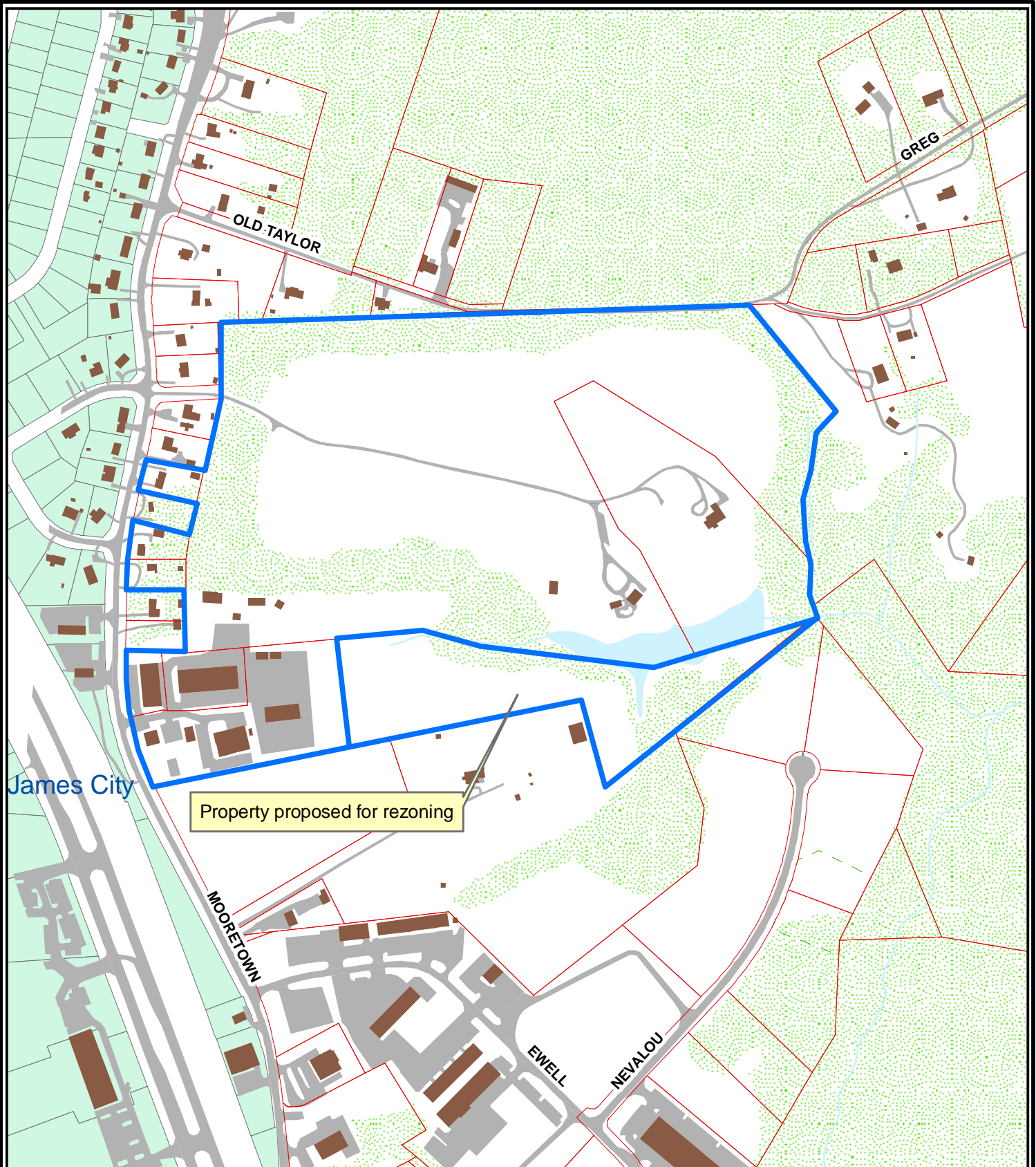
△ = Conditional Zoning

0 300 600 1,200 Feet

Printed on April 24, 2006

SOURCE: YORK COUNTY  
GIS PARCEL DATA and  
ZONING COVERAGE

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This map should be used for  
information purposes only. It is  
not suitable for detailed site planning.



## Property of the Henderson Family

HORIZONTAL ACCURACY: +/- 2.5 feet DATUM: VA State Plane South, NAD 83  
VERTICAL ACCURACY: +/- 1 foot DATUM: NVAD 1929

This map should NOT be used for engineering or other design purposes without full verification having been undertaken by a qualified surveyor.

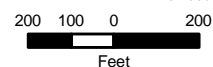
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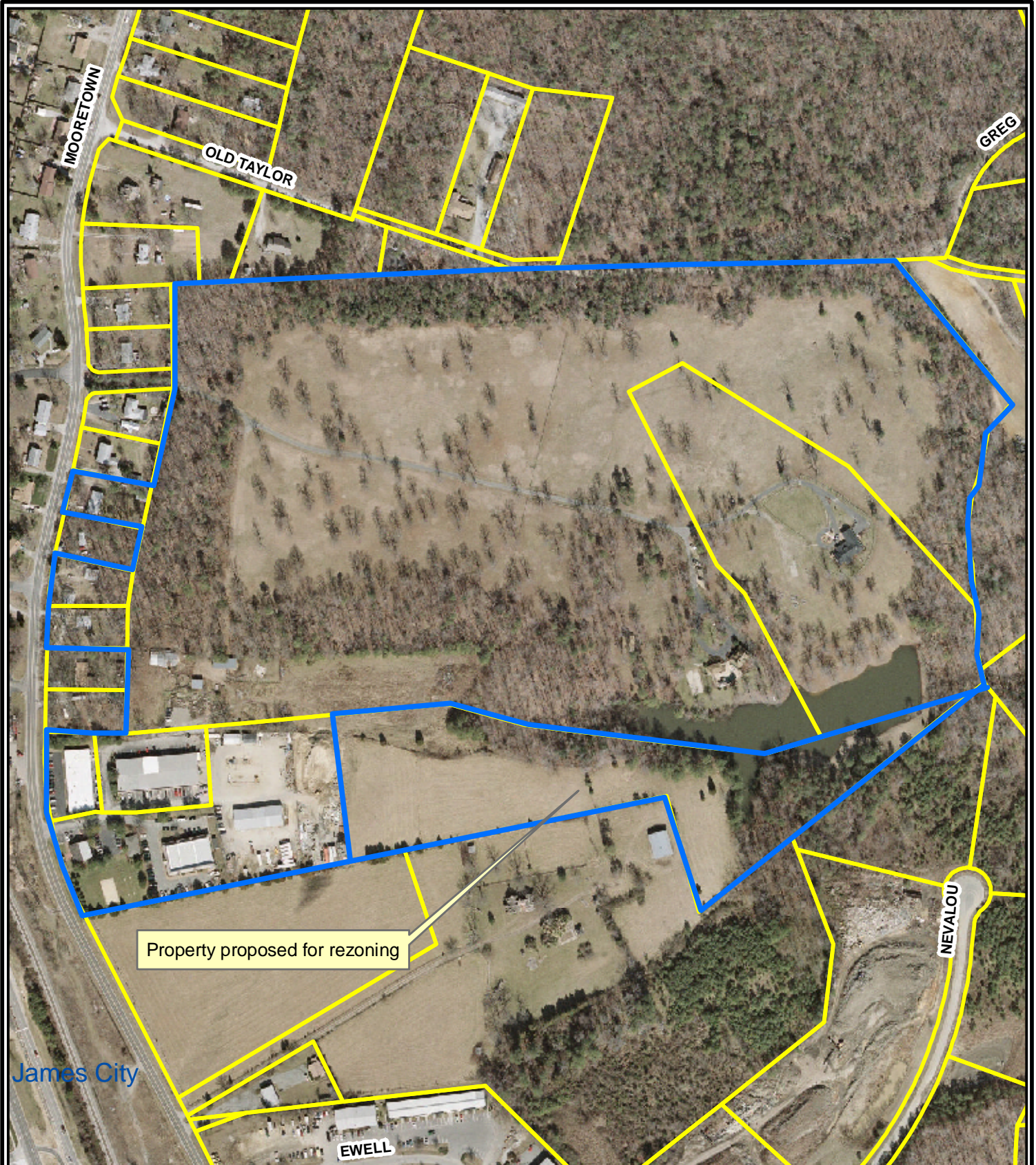
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Federal Emergency Management Agency (FEMA)  
This flood data has not been certified.*







## Property of the Henderson Family



**GEOGRAPHIC INFORMATION SYSTEMS**  
Division of Computer Support Services  
Department of Financial & Management Services  
[WWW.YORKCOUNTY.GOV](http://WWW.YORKCOUNTY.GOV)

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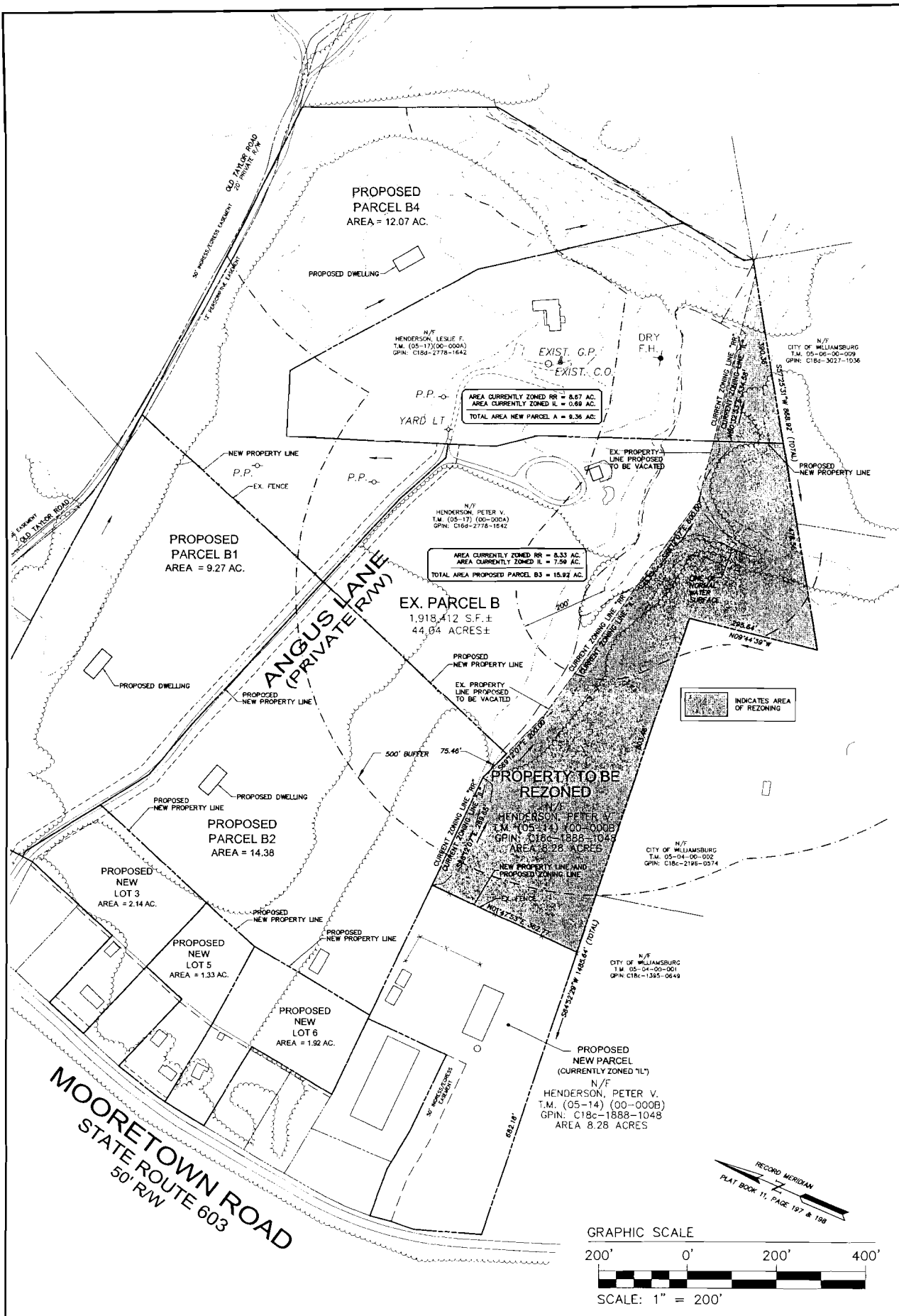
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Federal Emergency Management Agency (FEMA)  
This flood data has not been certified.*







Designed  
RME  
Scale  
1"=200'  
Drawn  
ANT/SEW  
Date  
3/2/06  
Project No.  
7779-01

MAP SHOWING PROPOSED AREA  
FOR REZONING OF 8.28 AC ±  
PREPARED FOR  
PETER V. HENDERSON/ET ALS



5248 Olde Towne Road, Suite 1  
Williamsburg, Virginia 23188  
(757) 253-0040  
Fax (757) 220-8994

**RECEIVED**  
MAR 20 2006



PLANNING COMMISSION  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Planning Commission held in the Board Room, York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_, 2006:

Present

Vote

Alfred E. Ptasznik, Jr., Chair  
Nicholas F. Barba, Vice Chair  
Christopher A. Abel  
Alexander T. Hamilton  
John W. Staton  
Anne C. H. Conner  
John R. Davis

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION TO REZONE APPROXIMATELY 8.28 ACRES ON MOORETOWN ROAD (ROUTE 603) FROM IL (LIMITED INDUSTRIAL) TO RR (RURAL RESIDENTIAL)

WHEREAS, Peter V. Henderson has submitted Application No. ZM-101-06, which requests to amend the York County Zoning Map by reclassifying from IL (Limited Industrial) to RR (Rural Residential) an approximately 8.28-acre portion of a 13.24-acre parcel located at 5800 Mooretown Road (Route 603) and further identified as Assessor's Parcel No. 5-14-B (GPIN# C18c-1888-1048); and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the \_\_ day of \_\_\_\_, 2006, that Application No. ZM-101-06 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of

approval to amend the York County Zoning Map by reclassifying from IL (Limited Industrial) to RR (Rural Residential) an approximately 8.28-acre portion of a 13.24-acre parcel located at 5800 Mooretown Road (Route 603), further identified as Assessor's Parcel No. 5-14-B (GPIN# C18c-1888-1048) and more fully described as follows:

All of that certain area of land situated on Mooretown Road and located within the Bruton District of the County of York, Virginia and identified as 8.28  $\pm$  acres and being more fully described as: Commencing at a point, said point being on the northeasterly right of way of Mooretown Road, 1370'  $\pm$  south of the intersection of Mooretown Road and Angus Lane and being a corner to property now or formerly standing in the name of the City of Williamsburg; thence leaving the right of way of Mooretown Road, N 84°52'29"E, a distance of 682.18' to a point, being the point of beginning for the rezoning area; thence N 01°47'53"E, a distance of 362.77' to a point; thence S 88°12'07"E, a distance of 269.65' to a point; thence S 69°12'07"E, a distance of 200.00' to a point; thence S 78°12'07"E, a distance of 600.00' to a point; thence N 80°32'53"E, a distance of 534.58' to a point; thence S 57°25'31"W, a distance of 868.92' to a point; thence N 09°44'39"W, a distance of 295.64' to a point; thence S 84°52'29"W, a distance of 803.46' to the point of beginning, all as shown on a map titled "Map Showing Proposed Area for Rezoning 8.28 Ac.+/- Prepared for Peter V. Henderson/Et Als" by AES Consulting Engineers dated March 2, 2006.